REMARKS

Claims 1-9 are now present in this application.

Claim 1 has been amended and claims 8 and 9 have been presented. Reconsideration of the application, as amended, is respectfully requested.

Claims 1, 2, 4, 5 and 7 stand rejected under 35 USC 102(b) as being anticipated by Japanese document 5-124778. This rejection is respectfully traversed.

Claims 1, 2, 4, 5, and 7 stand rejected under 35 USC 102(b) as being anticipated by CHAPELAIN et al., U.S. Patent 5,000,292. This rejection is respectfully traversed.

Claims 3 and 6 stand rejected under 35 USC 103 as being unpatentable over either CHAPELAIN et al. or Japanese document '778. This rejection is respectfully traversed.

The present invention provides for a kit for installing shaft equipment for an elevator. This shaft equipment can include at least one guide rail. The kit has a suspension element which is temporarily attached to the ceiling of an elevator shaft or upper part of the wall of the elevator shaft. Temporarily in the context of the invention means that the function of the suspension elements are only temporary, since the suspension elements are used for installation purposes only. It should be noted that this does not mean that they are removed after the installation work is complete, so long as they do not hinder the operation of the elevator.

In addition, the kit includes suspension means for carrying or supporting shaft equipment. This suspension means is connectable to a hoisting device. A roof of the elevator car is usable for installation of the shaft equipment with this kit. The hoisting device will move the elevator car during installation of the guide rail. Therefore, the operators can easily work with the guide rails in order to install them in the shaft.

The Japanese document '778 merely discloses a method for installing a hydraulic elevator. A hydraulic elevator is different from an elevator using cables. Thus, it is questioned whether one of ordinary skill in the art would look to such an elevator when using the kit of the present invention. However, it is agreed that independent claim 1 does not expressly recite an hydraulic or cable elevator. Nonetheless, independent claim 1 does recite that the roof of the elevator car is usable for installation of the shaft equipment. Such an elevator car is not used in the Japanese document '778. Rather, a separate working cage is used during the installation. This is then removed, and then a normal elevator would be used in the system. Thus, it is a more complicated arrangement than that of the present invention. The present invention enables the elevator car to be used with the present kit. Thus, overall, the elevator installation can be simplified.

It is noted that dependent claim 8 does recite at least one elevator rope. This is therefore expressly different from the hydraulic elevator disclosed in the Japanese document '778. The kit

provides a suspension means which is connectable to the hoisting device. This hoisting device is separate from and non-connected to the at least one elevator rope. A provision of the kit is that not only can the guide rail be installed, but the elevator rope for hoisting the elevator can be provided.

The patent to CHAPELAIN et al. discloses a method of mounting a lift and the lift obtained. This patent does discuss using the roof of the elevator car. For example, in column 3, beginning at line 24, the cables can be strung to operators, one at the bottom of the shaft and one on the cabin roof. This short distance is ideal for running the cables because they will not become mingled. However, a beam 9 with telescopic arms 21 is mounted just above the elevator car. This arrangement is seen in Fig. 3. Then, the counterweight 7 and cabin 5 guide bars are fixed on the suspension tools on this beam. The beam is then raised from the brackets 27 as discussed in column 3, beginning at line 42. This raising is carried out using wench 17. The beam is raised up the shaft. As the beam is raised, the guides are fish-plated from the roof of the cabin, as discussed in column 3, line 50. Finally, the beam arrives at the top of the shaft as shown in Fig. 4, where the arms 21 of the beam 9 are opened at a desired length on support 43 at the top of the shaft. Thus, while the roof of the elevator car is used, it is not the case that the elevator is raised up the shaft in order to enable installation. Rather, the worker simply stands on top of the elevator car as the beam 9 is raised. As this beam is raised,

additional rails are affixed to one another. However, provisions for attaching them onto the walls of the shaft are not provided.

The present kit, on the other hand, provides a hoisting device. This hoisting device will actually enable the elevator car to move during installation of the guide rail. Thus, the elevator car can move up in the shaft in order to provide a working platform for installation of the rails and other shaft equipment. This is not anticipated nor suggested in the CHAPELAIN et al. reference. Hoisting and fish-plating of the rails is instead taught. It appears that the beam lifting cable 35 are simply for lifting the beam and are not satisfactory for lifting the elevator. A design wherein equipment can be installed at the top of the shaft and then the elevator hoisted up in order to enable installation of the guide rail is not provided for in the CHAPELAIN et al. reference.

Dependent claim 9 brings out that the suspension element can include three separate attachments. These could be the suspension loops 16, 17 and 19. By provision of this number of loops, the elevator, guide rails, counterweight and overspeed governor can all be effectively installed. Neither the Japanese document '778 or the CHAPELAIN et al. patent disclose such different attachments. The method for installation between these prior art devices and the instant invention are different. The kit of the instant invention also therefore differs from this utilized prior art.

Nonetheless, with regard to independent claim 1 or its dependent claims, it is respectfully submitted that neither of the

reference relied upon by the Examiner would either suggest or render obvious the claimed kit of the present invention. Accordingly, it is respectfully requested that these rejections now be reconsidered and withdrawn.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event the Examiner does not consider this application to be in condition for allowance, it is respectfully requested that this Amendment be entered for the purposes of Appeal. This Amendment should overcome the current grounds of rejection and therefore simplify the issues for Appeal. Nonetheless, it should be unnecessary to proceed to Appeal because the instant application should now be in condition for allowance.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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